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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

MOHAMAD HAMAD
TALYA A. LUBIT

Criminal No.

2:24-cr-257

(18 U.S.C. §§ 2, 247(c), 247(d)(5) and 371)

INDICTMENT

COUNT ONE

The grand jury charges:

General Allegations

At all relevant times:

1. The defendant, MOHAMAD HAMAD, was a citizen of both the United States and Lebanon and resided in Coraopolis, Pennsylvania.

2. The defendant, TALYA A. LUBIT, was a citizen of the United States and resided in Pittsburgh, Pennsylvania.

3. According to the Office of the Director of National Intelligence, Harakat al-Muqawama al-Islamiya (Hamas) was the largest and most capable militant group in the Palestinian territories and one of the territories' two major political parties. The group was committed to armed resistance against Israel and the creation of an Islamic Palestinian state in Israel's place. The United States Secretary of State has designated Hamas as a foreign terrorist organization under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist Organization under Executive Order 13224.

4. On Saturday, October 7, 2023, at approximately 6:30 a.m. local time in Israel, Hamas committed a violent, large-scale terrorist attack (the "October 7 Hamas Attack"), sending

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more than 2,000 armed fighters across the border between the Gaza Strip and southern Israel. The fighters entered Israeli farms and towns and launched a wave of violence focused primarily on civilians. Hundreds of civilians, including Americans, were killed. Others, including Americans, were kidnapped, taken hostage, and brought into the Gaza Strip by the Hamas attackers. Since the October 7 Hamas Attack, an armed conflict between Israel and Hamas-led Palestinian militant groups had been taking place in the Gaza Strip and Israel.

5. Following the October 7 Hamas Attack and continuing through at least the summer of 2024, numerous residents and businesses in the City of Pittsburgh, including Jewish residents and Jewish-owned and affiliated business entities, demonstrated their support for Israel through, among other things, displaying pro-Israel signs. Following the October 7 Hamas Attack, there had also been pro-Palestine protests in Pittsburgh, as well as vandalism incidents targeting residents and businesses for their actual or perceived support of Israel.

6. Chabad of Squirrel Hill (Chabad) was a center for Jewish educational programming with a synagogue for Shabbat and other Jewish religious services, housed in religious real property located at 1700 Beechwood Boulevard, Pittsburgh, Pennsylvania.

7. On the morning of July 29, 2024, Chabad reported to the Pittsburgh Bureau of Police that an exterior wall of its religious real property had been defaced with graffiti. Specifically, the words "Jews 4 Palestine" with an inverted triangle were spray-painted onto the exterior of the building with red spray paint. As depicted below, the graffiti was painted directly below a sign reading "Chabad of Squirrel Hill" and a few feet away from a large menorah, a Jewish religious symbol, which was implanted in the nearby grass.



8. The inverted red triangle symbol was a pro-Hamas symbol and was widely used in pro-Palestinian protests. The inverted triangle first appeared in Hamas videos of the current fighting in Gaza, where it was used to mark an Israeli military target about to be attacked by Hamas fighters.

The Conspiracy and Its Object

9. From in and around July 2024, through on or about July 29, 2024, in the Western District of Pennsylvania, defendants MOHAMAD HAMAD and TALYA A. LUBIT did knowingly and willfully combine, conspire, confederate, and agree with each other, to commit an offense against the United States, that is: to knowingly and intentionally deface, damage, and destroy religious real property, or attempt to do so, because of the race and ethnic characteristics of any individual associated with that religious real property, in violation of Title 18, United States Code, Section 247(c).

Manner and Means

10. It was a manner and means of the conspiracy that defendant MOHAMAD HAMAD expressed support for Hamas and Palestine, referred to himself as a Hamas operative, and stated his desire to be overseas with his “brothers”.

11. It was a further manner and means of the conspiracy that defendant TALYA A. LUBIT similarly expressed anti-Israel/anti-Jewish sentiments and support for the pro-Palestine movement.

12. It was a further manner and means of the conspiracy that defendants MOHAMAD HAMAD and TALYA A. LUBIT used an encrypted messaging application to discuss and plan a coordinated effort to deface, damage, and destroy Jewish-owned or -associated real properties.

13. It was a further manner and means of the conspiracy that defendants MOHAMAD HAMAD and TALYA A. LUBIT agreed to deface, damage, and destroy the real property owned and used by the Chabad.

14. It was a further manner and means of the conspiracy that defendants MOHAMAD HAMAD and TALYA A. LUBIT agreed to deface, damage, and destroy the real property owned and used by the Chabad by spray painting pro-Palestinian messaging on the front wall of the building, that is, "Jews 4 Palestine" with an inverted red triangle.

15. It was a further manner and means of the conspiracy that defendants MOHAMAD HAMAD and TALYA A. LUBIT vandalized the real property owned and used by the Chabad in the early morning hours of July 29, 2024, when it was dark and quiet.

16. It was a further manner and means of the conspiracy that defendant MOHAMAD HAMAD placed his cellular telephone in "airplane mode" while he and defendant TALYA A. LUBIT traveled to and from the Chabad, masking his whereabouts while engaged in defacing, damaging, and destroying the Chabad.

Overt Acts

17. In furtherance of the conspiracy, and to accomplish its object and purpose, defendants MOHAMAD HAMAD and TALYA A. LUBIT committed and caused to be

committed, in the Western District of Pennsylvania, at least one of the following overt acts, among others:

a. Defendant MOHAMAD HAMAD, using the Google Maps application on his cellular telephone searched for the following locations: “Chabad,” Chabad of Squirrel Hill,” “Chabad Young Professionals Pittsburgh,” Chabad Young,” “Chabad Lubavitch of Western Pennsylvania,” and a specific address on Melwood Avenue, determined to be defendant TALYA A. LUBIT’s address.

b. On or about July 27, 2024, at approximately 7:03 p.m. ET, defendant MOHAMAD HAMAD, wearing a headband and face covering commonly associated with members of Hamas, drove past the front of the Chabad to survey the target location and recorded the drive-by on a cellular telephone. A still photo taken from that video is depicted below.



c. On or about July 27, 2024, from at or around 9:25 p.m. ET to at or around 11:20 p.m. ET, defendants MOHAMAD HAMAD and TALYA A. LUBIT, using the Signal

encrypted messaging application, discussed vandalizing and painting graffiti specifically on “Jewish institutions.”

d. On or about July 27, 2024, at or around 7:27 p.m. ET, during the Signal conversation with defendant MOHAMAD HAMAD, defendant TALYA A. LUBIT agreed to “Decorating Chabad.”

e. On or about July 27, 2024, at or around 11:08 p.m. ET, during the Signal conversation with defendant MOHAMAD HAMAD, defendant TALYA A. LUBIT stated, “I can literally feel myself starting to see Jews as my enemies.”

f. On or about July 28, 2024, defendant MOHAMAD HAMAD purchased one can of Rust-Oleum high-gloss, red spray paint, in the color “Strawberry Fields,” at Walmart.

g. On or about July 29, 2024, at or around 1:46 a.m., defendants MOHAMAD HAMAD and TALYA A. LUBIT arrived at the front of the Chabad in MOHAMAD HAMAD’s vehicle.

h. On or about July 29, 2024, at or around 1:46 a.m., defendant TALYA A. LUBIT, with her face covered, exited defendant MOHAMAD HAMAD’s vehicle and spray-painted in red the words, “Jews 4 Palestine” and an inverted triangle on the front exterior wall of the Chabad’s religious real property.

In violation of Title 18, United States Code, Section 371.

COUNT TWO

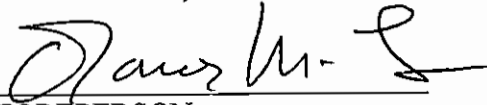
The grand jury further charges:

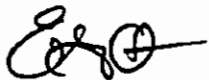
Paragraphs 1 through 17 of Count One are hereby incorporated by reference as if re-alleged herein.

18. On or about July 29, 2024, in the Western District of Pennsylvania, defendants MOHAMAD HAMAD and TALYA A. LUBIT did intentionally deface, damage, and destroy religious real property, that is, the Chabad of Squirrel Hill because of the race and ethnic characteristics of any individual associated with that religious real property.

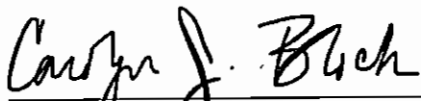
In violation of Title 18, United States Code, Sections 247(c), 247(d)(5), and 2.

A TRUE BILL,


FOREPERSON



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